

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ABIRA MEDICAL LABORATORIES,
LLC d/b/a GENESIS DIAGNOSTICS**

vs.

MARIA J. KARIM

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CIVIL ACTION NO. 2:20-cv-04317-KSM

**AFFIDAVIT OF SHELBY J. WESSER IN SUPPORT OF THE
MOTION FOR ENTRY OF DEFAULT AS TO THE DEFENDANT**

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF BUCKS

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BEFORE ME, the undersigned notary public, personally appeared the undersigned Affiant, known to me as Shelby J. Wesser, who being duly sworn by me upon her oath, stated as follows:

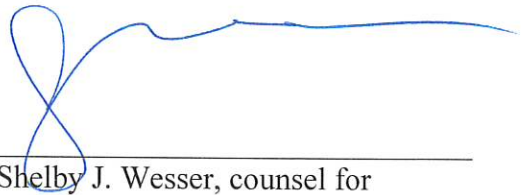
- “1. My name is Shelby J. Wesser. I am an attorney at law licensed to practice law before all Courts in the Commonwealth of Pennsylvania. I am also admitted to practice before the United States District Court for the Eastern District of Pennsylvania.
2. I am over the age of eighteen (18) years, of sound mind and body, and am competent to testify herein. I have personal knowledge of the facts set forth in this Affidavit, and they are all true and correct.
3. I am employed as in-house corporate litigation counsel for Abira Medical Laboratories, LLC d/b/a Genesis Diagnostics, the Plaintiff in this case (the “Plaintiff”). I am duly authorized and retained by the Plaintiff to represent its interests in the instant lawsuit involving Defendant Maria J. Karim (the “Defendant”). I am familiar with the file, records, and pleadings in this matter.
4. Plaintiff’s Original Complaint in this case was filed against the Defendant on September 2, 2020 (Doc 1).
5. In accordance with Fed. R. Civ. P. 4, a summons was issued in this case on September 3, 2020. The summons was emailed to me by the Clerk of the Court for following up with service upon the Defendant.
6. I referred the service process papers (the summons and Plaintiff’s Original Complaint) to the Plaintiff’s process server on September 3, 2020. Thereafter, on September 28, 2020 service of process was personally performed upon the

EXHIBIT “1”

Defendant at her last known address, 3816 McRee Avenue, in St. Charles County, in the City of St. Louis, Missouri 63110-2616.

7. On October 7, 2020 the process server's original Affidavit of Service which reflects proof of service upon the Defendant was filed into the record of this case (Doc. 3).
8. Under the provisions found under Fed. R. Civ. P. 12(a)(1)(A)(i), the Defendant had twenty-one (21) days after receipt of the Rule 4 service package within which to answer Plaintiff's Original Complaint. Defendant's deadline for filing her answer in this case fell on October 19, 2020.
9. As of the date of this affidavit the Defendant has failed to appear, answer, plead or otherwise defend herself within the time allowed. Therefore, the Defendant is now in default under Fed. R. Civ. P. 55(a).
10. Plaintiff requests that the Clerk of the Court enter default against the Defendant.

Further, Affiant sayeth not."




Shelby J. Wesser, counsel for
Plaintiff Abira Medical Laboratories,
LLC d/b/a Genesis Diagnostics

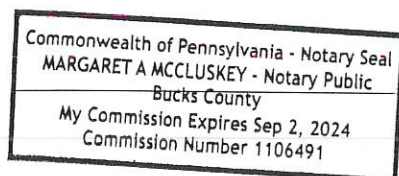
VERIFICATION

The preceding Affidavit in Support of The Motion for Entry of Default as to the Defendant was SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned Notary Public by Shelby J. Wesser, counsel in the above-referenced lawsuit for Plaintiff Abira Medical Laboratories, LLC d/b/a Genesis Diagnostics, the Affiant herein, on this the 23rd day of October, 2020, to certify which, witness my hand and official seal of office.

(S E A L)


NOTARY PUBLIC IN AND FOR
THE COMMONWEALTH OF
PENNSYLVANIA

MY COMMISSION EXPIRES:


PRINTED NAME OF NOTARY